HOME (1940) Department

MS SERIES.

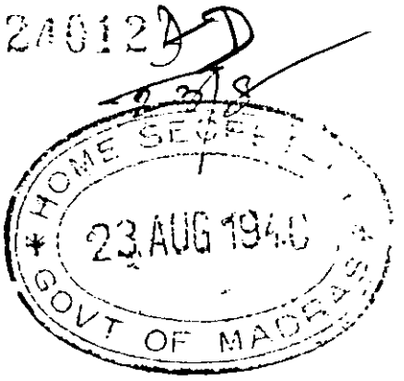
G.O. No. 4107

Dated 8th October 1940.

[Despatch Abstract]

Prosecution - Sri Sitarama Rao, President, Bench Court, Bellary - Sanction refused.

R.C. 24012 D



Home Dept.
Law Secretary
31/8/1940

From,

B.Bhaktavastala Naidu,
C/o
Messrs M.G.Brothers, Bellary.

To,

Honourable the Adviser,
To
His Excellency the Governor,
Law department,
M A D R A S.

Most Respected Sir,

I have the honour to enclose nerewith a copy of my complaint against one Sri. S. Sitarama Rao who is the president of the Bench Court in Bellary.

This complaint petition which I intend to file, will show how high handedly I was insulted and detained against my will and that for an offence which even if true, does not entitle the said Sri. S.Sitarama Rao to have me arrested.

I hear he has also sent a report to the Police.

As he said that he was acting as Bench Magistrate I pray that sanction may be accorded to me to prefer this complaint under section 197 Criminal Proceedure Code.

I beg to remain,
Most respected Sir,
Your most obedient servant,

B. Bhaktavastala Naidu

B E L L A R Y.
9th August 1940.

Before the District Magistrate, Bellary.

Calender Case No. of 1940.

B.Bhaktavastsala Naidu -- Complainent

S.Sitarama Rao -- -- Accused

Complainant under 200 Cr P.C.

Your applicant above named most humbly begs to submit as fallows:-

That he is a Demonstrator and Salesman of Motor Vehicles for Messers M.G.Brotners throughout the Ceded Districts.

He is mechanic and has held a Driving license for the past 10 years.

The accused is a retired Tahsildar and is now the President of the Bellary Bench Court. He lives in Sabapatny well street Bruce pet Bellary.

That the accused was a perfect stranger to your complainant and only came to know him and his residence on 31-7-1940 at 7-30 A.M. when the incidents mentioned below occurred.

That on 31-7-1940 at about 7 A.M. Bus BE 678 driven by one Haneef Saib was coming through the Fort towards Bruce pet. Your complainant was also coming in the same direction and as the Bus was a service bus between Bellary to Adoni and was coming to the Bus Stand infront of the Coultry, he stopped it and got into the bus.

The driver Haneef Saib wanted to change into a uniform and drove the bus to his house in Sabapathy well street and stopped it before a lane in which his house was situated.

After the driver went to his house your complainant was sitting in the front seat waiting for him.

Just then a boy came out of a house and called your complainant saying his master wanted him. Your complainant wanted to know who called him and the reason for such calling.

To this the boy went in and told some one inside what I had said in a loud tone spicing it by saying that your complainant refuses to come.

Then elderly voice curtly ordered the boy to call me again.

Hearing a very authoritative voice saying this and out of curiosity your complainant went into the house and questioned, the accused why he called him. The following conversation then took place.

Accused. Why have you stopped the bus infront of my house.

Comp. The driver has gone to his house to change in to his uniform and so the bus is stopped here for a few minutes.

Accused Are you a driver? Have you got your driving license? give it here.

Complt. Yes, I have a driving license, why do you want it.

Accused Will you give it or not.

Complt No, who are you to ask for it, I have not got it with me now.

Accused Then why did you drive the bus.

Complt. I did not drive. I have already told you that the driver has gone to his house to change his dress.

Accused You are a liar. You have driven the bus. I place you under arrest. Sit here.

Complt. Who are you Sir, you refuse to tell me your Authority. What offence have I committed to place me under arrest.

Accused Shut up. Have you any person to bail you.

Just then Haneef saib the driver came and offered to stand bail. The accused refused to accept him.

Accused { You must wait here until — I report to the police and hand you over.

Complt. What is this Sir, I have committed no offence

offence and your are unnecessarily and illegally doing all this and you refuse the bail offered.

Accused I am the Bench Magistrate and you will surfer still worse if you talk like this.

Complt. This is a service bus and it now 8.5 A.M. you have detained me for over half an hour. you can do what you like. Iam going.

So saying your complainant got in to the bus and went away.

The accused then shouted out that he would send a warrant and have me arrested.

During all this time Sannappa the cleaner, Sarabanna and Pothanna were present and they saw and heard everything

The accused has therefore committed orfence under sections 341 Indian Penal Code and your complainant prays the case may be tried and accused punished for his high handed and illegal acts.

" He also prays that sanction under section 197 Cr.P.C may be granted to him if this Court thinks that the accused who was the President of the Bench Court acted, in his official capacity.

B. Bhadravasala Na...

/ True Copy /

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ASSISTANT SECRETARY TO GOVT. 2-OCT.1940 HOME DEPARTMENT

From,
B.Bhaktavatsalam Naidu.
C/o Messers, M.G.Brothers.
Bellary.

To,
The Honourable the Adviser,
to H.E.The Governor
Law Department
MADRAS.

Respected Sir,

On 9-8-1940. I had the honour of submitting an application by Regd.post praying for sanction to prosecute Sri,S.Seetharama Rao (Ex.Thasildar in Anantapur District now retired) President Bench Court Bellary for Certain offence committed by him. I had enclosed a copy of my Complaint also.

The acknowledgment dated 12-8-"40.is also received.

I shall therefore be most grateful for early orders.

I beg to remain

Respected Sir,

Your's Obediently,
Bo. Bhaktavatsalam Naidu
27-9-40

Bellary.
D/26-9-40.

Subj. The application referred to above was merely "lodged" under the orders of the Adviser - vide

Issue an order refusing to prosecute the matter. Then let Adv. see

4/10/40.

Draft order is sent?

5.10.40.

5/10

5

4/7.10.40.

Sd 5/10

5/10

Issued as G.O. No 4107 Home dt 8.10.1940.

(V)

Sd 9/10/40.

HOME SECRETARY
10 OCT 1940
GOVT OF MADRAS

C.F. 16

DRAFT FOR APPROVAL.

Home Deptt.

9/8/40 Date. Initials.

SUBJECT :— Prosecution— Sri Sitaramaraju, President, Bench Court, Bellary— Sanction refused.

When received for fair copying ..		
When copied ..		9/8/40
When examined ..		
When signed ..		
When despatched.		

READ AGAIN _____, dated _____ 19____

" " _____ " _____ 19____

READ *ALSO* :—

No. _____ From ~~The~~ Sri B. Bhakta- , ~~No.~~ petition dated 9.8. 1940

" _____ " Vastala Naidu, Bellary " _____ " _____ 19____

" 27663D. " -do- " _____ " 26/27.9. 1940

Order ~~Resolution~~ Ms. ~~Roul.~~ No. 4107 , dated 8. 10 1940

The Govt decline to accord sanction to the petitioner to prosecute Sri S. Sitaramaraju, President, Bellary Bench Court, Bellary.

Rly 5.10.40

5/10

4.10.40.

To the Pet.r (Address attn for C.G.)

Copy to the D.M. Bellary (with copy of the letter)

Dpd. by Van / Post / ~~No longer~~

Dpr.'s initials.

Date 8/10 193